

Amendment No. 4 to HB3450

**Pleasant
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Date _____
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Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 3296*

House Bill No. 3450

By adding the following new section to be designated as §29-17-102 to the amendatory language of SECTION 1 and by renumbering the present section accordingly:

§29-17-102. (a) Before a local government, an agency of a local government, or an entity created by such local government that has been granted the power of eminent domain may acquire property by exercise of the right of eminent domain, notice of such intention and notice of a public hearing on such intention shall first be given as provided by law for other government actions requiring notice to the general public. The local government shall, prior to the taking by eminent domain, conduct a public hearing to determine whether the property to be condemned will be used by the local government for a public use and shall then approve the specific use of eminent domain by a majority vote of the legislative body.

(b) Before any other board, commission, authority or entity that has been granted the power of eminent domain may acquire property by exercise of the right of eminent domain, the municipal government, if the property to be condemned is located in a municipality, or the county government, if the property to be condemned is located in an unincorporated area of the county, shall first conduct a public hearing to determine whether the property to be condemned will be used for a public use and shall approve the specific use of eminent domain by a majority vote of the legislative body. If the property to be condemned shall cross the boundary line between municipalities and counties, then all the municipalities and counties shall conduct public hearings to determine whether the property to be condemned will be used for a public use and shall approve the specific use of eminent domain by a majority vote of all the legislative bodies

before the condemning entity may commence acquiring such property by eminent domain.